

THE HONORABLE RONALD B. LEIGHTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TROY X. KELLEY,

Defendant.

Case No. 3:15-cr-05198-RBL

UNOPPOSED MOTION TO UNSEAL  
JURY NOTES

**Noted: January 16, 2018**

Defendant Troy X. Kelley hereby moves this Court for an order unsealing jury notes, with the foreperson's name redacted. The jury notes were filed under seal at Docket No. 561 on December 21, 2017.

The contents of the jury notes were read in open court, and should be a matter of the public record. *See, e.g., Rogers v. United States*, 422 U.S. 35, 40 (1975) (trial court "correctly ordered [jury note] to be filed in the record, with a notation as to the time of receipt and the court's response"); *United States v. Fresnoza*, Case No. 10-00028-003, 2015 WL 6445181, at \*12 (D. Guam Oct. 23, 2015) ("Consistent with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, and any amendments thereto, the court redacted the foreperson's name from the jury notes when the notes were filed and entered on the

1 docket sheet. The unredacted notes containing the foreperson's name were filed under seal.")  
2 (citation omitted); Privacy Policy for Electronic Case Files, Mar. 2008,  
3 <http://www.uscourts.gov/rules-policies/judiciary-policies/privacy-policy-electronic-case-files>  
4 (listing "documents containing identifying information about jurors or potential jurors," but not  
5 jury notes, among those that shall not be included in the public case file).

6 The government does not oppose this motion.

7 DATED this 16th day of January, 2018.

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9 CALFO EAKES & OSTROVSKY PLLC

10 By: s/ Angelo J. Calfo

11 Angelo J. Calfo, WSBA No. 27079  
12 Patty A. Eakes, WSBA No. 18888  
13 Emily D. Powell, WSBA No. 49351  
14 Andrew Hughes, WSBA No. 49515  
15 1301 Second Ave. Suite 2800  
16 Seattle, WA 98101-3808  
17 Telephone: (206) 407-2200  
18 Fax: (206) 407-2224  
19 Email: [angeloc@calfoeakes.com](mailto:angeloc@calfoeakes.com)  
20 [patty@calfoeakes.com](mailto:patty@calfoeakes.com)  
21 [emilyp@calfoeakes.com](mailto:emilyp@calfoeakes.com)  
22 [andrewh@calfoeakes.com](mailto:andrewh@calfoeakes.com)

23 *Attorney for Defendant Troy X. Kelley*  
24  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Andrew C. Friedman      [Andrew.Friedman@usdoj.gov](mailto:Andrew.Friedman@usdoj.gov)

Arlen R. Storm      [Arlen.Storm@usdoj.gov](mailto:Arlen.Storm@usdoj.gov)

C. Seth Wilkinson      [Seth.Wilkinson@usdoj.gov](mailto:Seth.Wilkinson@usdoj.gov)

Michelle Jensen      [Michelle.Jensen@usdoj.gov](mailto:Michelle.Jensen@usdoj.gov)

s/Mary Klemz

Mary Klemz